Remarks

Claims 1-49 are pending in the present application. Claims 1-49 are currently rejected. Additionally, new Claims 50-55 have been added.

1.)   Objections Due to Informalities:

The Examiner has objected to Claims 1-4, 13, 15, 17, 25, 34-40, and 42 for various informalities. In response, these Claims have been amended to correct these deficiencies.

2.)   Objection of Claim 16 Under CFR § 1.75(c):

The Examiner has objected to Claim 16 as being of improper dependent form. In response, Claim 16 has been canceled.

3.)   Objection of Claims 2, 3, 12 and 13 Under 35 USC § 112:

The Examiner has objected to Claims 2, 3, 12 and 13 as being indefinite. In response, these Claims have been amended to correct these deficiencies.

4.)   Rejection of Claims 1-17, 24-26, 41-42, and 49 for Double Patenting:

The Examiner has rejected Claims 1-17, 24-26, 41-42, and 49 on the grounds on non-statutory double patenting over Claims 1-9 of US Patent No. 6,585,589. In response, a terminal disclaimer is submitted.

5.)   Objection of Claims 1-49 Under 35 U.S.C. § 103 for Obviousness:

The Examiner has rejected Claims 1-49 under 35 U.S.C. §103 for obviousness over U.S. Patent No. 6,685,563 (Meekins) in view of what is known to one of ordinary skill in the art. Specifically, the Examiner states that Meekins discloses a means for

detecting, receiving, analyzing and translating event signals; a lottery entry means; a central lottery system; and a central computer system. The Examiner acknowledges that Meekins does not disclose outputting lottery entry commands upon the occurrence of an event. However, the Examiner states that since Meekins discloses constantly monitoring for an event for activating the lottery game a providing a lottery ticket, it would have been known it the art to generate a command from a controller to generate a lottery ticket dispensing command.

a.) The Application's Corrected Priority Date Predates Meekins:

A petition to correct priority date of the present invention was submitted to The Office of Petitions on March 2, 2007. This petition was granted and a corrected filing receipt was issued April 27, 2007. The present application now claims priority as a continuation-in-part application from Ser. No. 09/639,441 filed on August 15, 2000, now U.S. Pat. No. 6,840,860 (the '860 patent), which is a continuation-in-part application of Ser. No. 08/994,075 filed on Dec. 19, 1997, now U.S. Pat. No. 6,146,276 (the '276 patent), which is a continuation-in-part of application Ser. No. 08/795,152 filed Feb. 7, 1997, now U.S. Pat. No. 5,908,354 (the '354 patent).

In comparison, Meekins was filed on Mar. 2, 2000, with a priority claim to Provisional Application 60/122,914 that was filed on Mar. 5, 1999. Of the priority claims, the grandparent '276 Patent that was filed on Dec. 19, 1997 predates Meekins. The '276 patent discloses a gaming device with attached peripheral devices such as a lottery gaming device. The claims of the present invention are supported by at least the grandparent '276 patent.

The Claims of present application draws support for many of the recited terms used as disclosed in the specification of the '276 patent. For example, some specific instances of various terms recited in the Claims that draw support from the '276 patent include:

i.) Support for the term "Electronic Device" for "Gaming":
Support for use of this term is found in Col. 1, Ln. 29-31 of '276 which states: "Slot machines and video poker machines continue to be the most widely

used types of *gaming devices* found in the gaming industry." Additional support is found in Col. 5, Ln. 18-20 which states: "The present invention provides a programmable electronic activity detector and command generator for *electronic devices*, particularly a casino *gaming device* ..."

ii.) *Support for the term "Event Occurrence Notification Signal"*:

Support for the use of this term is found in Col. 9, Ln. 50-59 of '276 which states: "Connected to the event detection sampling chip 12 in information transmission connection therewith is a programmable event occurrence information signal computing device 56 which will be referred to herein as the main CPU (central processing unit). The main CPU 56 is programmed to scan the registers within the event detection sampling chip 12 and remove, identify and compare the *event occurrence notification signal* found within the register of the event detection sampling chip 12 to a table of numbers preloaded or 'hardcoded' into the registers of the main CPU 56 itself."

iii.) *Support for the terms "Events", "Detection" and "Monitoring"*:

Support for the use of these terms is found in Col. 9, Ln. 35-49 of '276 which states: "As the event detection sampling chip 12 is constantly *monitoring* the data output lines 46, 48, 50, 52, and 54, any event occurrence notification signal output by the slot machine board 100 will be detected. The signals output by the slot machine board 100 are transferred by the event *detection* sampling chip 12 to determine which specific *event* has occurred in the slot machine. This translated information is then stored in the data storage registers within the event detection sampling chip 12. The precise location and number of registers within the event detection sampling chip 12 will be dependent upon the type of chip used in the programmable sound card 10 but it is expected that the event detection sampling chip 12 will be capable of storing upwards of 100 separate *event* occurrence notification signals. Additional support is found in Col. 14, Ln. 39-41 which states: "For example, common machine *events* may include coin in, handle pull, jackpot, or any other payoff combination or the like."

iv.) Support for the term "Generating a Command":

Support for the use of these terms is found in Col. 15, Ln. 18-22 of '276 which states: "When the MCU (main computing unit) 240 detects that an [sic] designated event has occurred in the slot machine by a match of a selected event occurrence information signal and an event held within the table, the MCU 240 *generates a command signal which is sent to connected output devices.*"

v.) Support for the term "Lottery":

Support for the use of this term is found in Col. 16, Ln. 22-30 of '276 which states: "One other possible use of the present invention is as a tie-in with state-run *lotteries* in which the network capabilities of the present invention would be used to provide a wide-area "Powerball" type jackpot payoff on one particular combination being achieved. The specific nature of this implementation will be made apparent in future documentation, but this and other such examples serve to illustrate the virtually limitless possibilities for use of the present invention."

It should be clearly understood that the preceding examples are not inclusive of all examples of support for the terms used in the present Claims that may be found in the '276 or '354 patents. These are only examples of support for some prominent terms that are repeated throughout the pending Claims. As such, other terms used in the pending claims may be supported by the '276 or '354 patents.

In summary, the present application claims priority from the grandparent '276 patent that was filed on Dec. 19, 1997. This date predates Meekins' filing date of March 2, 2000 and Meekins earliest priority date of Mar. 5, 1999. Consequently, Meekins is not a valid reference to be considered against the Claims of the present application and the rejection fails for at least these reasons.

b.) Request for Affidavit from Examiner Regarding Lottery Entry Commands:

In the Office Action, the Examiner acknowledges that Meekins does not teach "outputting lottery entry commands upon occurrence of an event". Instead, the Examiner states "It would have been obvious to a person of ordinary skill in the art the time the invention was made to generate a lottery ticket dispensing command from a controller to the ticker [sic] dispensing means of Meekins...".

In response, the Applicant notes that 37 C.F.R. §1.104(d)(2) states:

When a rejection in an application is based on facts within the personal knowledge of an employee of the Office, the data shall be as specific as possible, and the reference must be supported, when called for by the applicant, by the affidavit of such employee, and such affidavit shall be subject to contradiction or explanation by the affidavits of the applicant and other persons.

In accordance with this rule, Applicant requests that the Examiner submit an affidavit stating that based on his personal knowledge, it is well known to one of ordinary skill in the art to generate a lottery ticket dispensing command from a controller of the lottery system/electronic gaming device of the present invention to the ticket dispenser of Meekins. In the alternative, Applicant requests that the Examiner withdraw this rejection.

c.) Meekins' "Lottery Ticket" is Not a Lottery Entry:

The Examiner cites Claim 2 of Meekins (Col. 13, Lines 34-35) as a lottery entry means. Specifically, Claim 2 (which depends from Claim 1) recites the system of Claim 1 where the video lottery terminal (VLT) comprises a means for generating a lottery ticket and a means for providing the lottery ticket to the player. However, the only reference in the specification of Meekins to a "ticket" is as follows:

> Therefore, if a player should select a winning lottery number, payment is made to the player manually by the casino. In one embodiment, when a player wins the jackpot, video lottery terminal 200 emits a signal to a casino floor controller. In response, casino personnel would tender payment to the winner. In another embodiment, video lottery terminal 200 includes a device for <u>printing a ticket which indicates that the player has</u>

won the jackpot. The player then redeems the ticket at the casino. *Col. 11, Lines 60-67.*

It is clear that the ticket that is printed by the apparatus in Meekins is not a lottery entry ticket but instead is merely a ticket that indicates the results of the lottery. As previously stated, this is the only reference to a "ticket" in Meekins' specification. Consequently, the terms used by Meekins in Claim 2 and cited by the Examiner can have no other reasonable meaning other than the lottery ticket is only an indicator of a lottery win and does not constitute a lottery entry ticket. Therefore, the rejection fails for at least these reasons.

d.) *Meekins' use of the term "Lottery Ticket" is Not a Valid Prior Art Reference:*

The Examiner has referenced the term "lottery ticket" in his rejection stating, "Further, since Meekins discloses providing a lottery ticket when the computer detects a game event (col. 13, lines 28-31 and 34-35)…" However, the Examiner is improperly citing at least Claim 2 of Meekins which contains the term "lottery ticket" because this claim was not part of the original application filed on March 2, 2000 and therefore is not entitled to that priority date. Specifically, the term "lottery ticket" is absent from the does not appear in the application until December 24, 2002 in newly added Claim 82. There were no other claims prior to the 12/24/2002 filed claim that used the term "lottery ticket".

The current application claims priority as a continuation-in-part from Serial No. 09/834,537, now U.S. Pat. No. 6,585,589 (the '589 Patent), which was filed April 13, 2001. The '589 Patent relates to a "Lottery Game/Gaming Device Interface" and discloses the use of a "lottery ticket" extensively throughout its specification. Therefore, the present inventions use of a lottery ticket pre-dates Meekins first reference to "lottery ticket" from 12/24/02. Therefore, the citation used by the Examiner does not qualify as a valid prior art reference and the rejection fails for at least this reason.

6.) New Claims

New Claims 50-55 have been added to the present application. These claims recite and claim additional features of the present invention. Support for Claims 50-55 is found on: Page 9, Lines 2-26; Page 13, Lines 11-22; and Page 15, Lines 5-25. The New Claims also overcome the present rejections for at least the reason discussed previously in Section 5.

7.) Conclusion:

In view of the preceding amendments and remarks, the rejections and objections have been overcome. Therefore, Applicant respectfully requests the withdrawal of all outstanding rejections and an issuance of a Notice of Allowance for all pending claims. Please apply any additional fees or credits to Deposit Account #: 50-0954, Reference #: A9658-81022.

Respectfully Submitted,

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